

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

19351-19400

[Approved by the Secretary of Agriculture, Washington, D. C., November 12, 1932]

**19351. Misbranding of Morrison's Old English liniment. U. S. v. 11 Packages, et al., of Morrison's Old English Liniment. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26945. I. S. Nos. 34468, 34469. S. No. 5155.)**

Examination of the drug product Morrison's Old English liniment, involved in this action, showed that the carton and bottle labels and a circular shipped with the article contained statements representing that it possessed curative and therapeutic properties which, in fact, it did not possess.

On September 8, 1931, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11 large bottles and 22 small bottles of Morrison's Old English liniment, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by the James W. Foster Co., of Bath, N. H., from Lisbon, N. H., on or about July 24, 1931, and had been transported from the State of New Hampshire into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a nonvolatile oil such as fish oil and volatile oils such as pine-tar oil, turpentine oil, and kerosene.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton, small size) "Used Externally For Contracted, Hard, Dry and Brittle Feet, Corns, Quarter-cracks, Thrush, Founder, Navicular Disease, Mud Fever, Scratches, Curbs, Splints \* \* \* Rheumatism, Bog Spavin, Wind Puffs, Shoe Boils, Contracted Cords, Galls, Sores, \* \* \* Inflammation. Used Internally For Coughs \* \* \* Sore Throat, Distemper, Bronchitis, Pink Eye, Kidney and Bladder Troubles. \* \* \* such as Hard, Dry, Pinched, Sore or Contracted Hoofs, Corns, Quarter-cracks, Thrush and Mud Fever, for all \* \* \* Open Sores, Shoe Boils, Lamé Muscles, Contracted Cords \* \* \* Inflammation and Rheumatism, will find it the most effective and satisfactory of anything he has ever used. \* \* \* [testimonial] ' \* \* \* anything equal it to grow a horse's foot and keep it in a healthy condition. I believe it will cure thrush quicker than any other remedy ever invented.' \* \* \* Used Externally Gives General Satisfaction For Rheumatism, Lamé Back. \* \* \* Chilblains, Ingrowing Nails, Corns, Bunions \* \* \* Inflammation \* \* \* but also to heal the wound and prevent deadly germs from attacking the wounded flesh. \* \* \* will protect the wound from microbes of tetanus (lockjaw) and blood poison;" (bottle label, small size) "For External and Internal Use, Externally For Contracted, Hard, Dry and Brittle Feet, Corns, Quarter Cracks, Thrush, Founder, Navicular Disease, Mud Fever, Scratches, Curbs, Splints, \* \* \* Rheumatism, Bog Spavin, Wind Puffs, Shoe Boils, Contracted Cords, Galls, Sores, \* \* \*

Inflammation. Internally For Coughs, \* \* \* Sore Throat, Distemper, Bronchitis, Pink Eye, Kidney and Bladder Troubles. \* \* \* Directions. To Grow Out Foot \* \* \* Contracted Feet \* \* \* Founder \* \* \* Brittle Feet \* \* \* Navicular Disease \* \* \* Corns \* \* \* Calks \* \* \* Scratches \* \* \* Mud Fever \* \* \* Quarter Cracks \* \* \* Thrush \* \* \* Splint \* \* \* Rheumatism \* \* \* Sore Backs, Necks and Shoulders \* \* \* Shoe Boils \* \* \* Big Knees \* \* \* Coughs \* \* \* Distemper, Pink Eye, Bronchitis \* \* \* Sore Throat \* \* \* Kidney and Bladder;" (carton, large size) "For the Relief of Pain \* \* \* For the Relief of Pain In Cases of Rheumatism, Neuritis, Sciatica, Lumbago, Neuralgia, \* \* \* Bunions, \* \* \* And Inflammation \* \* \* Highly recommended For Coughs, \* \* \* Sore Throat, Bronchitis, La Grippe and to allay distress in cases of Diphtheria;" (bottle label, large size) "For Man Or Beast For External and Internal use. Externally For Contracted, Hard, Dry and Brittle Feet, Corns, Quarter Cracks, Mud Fever, Founder, Thrush, Navicular Disease, Splints, \* \* \* Rheumatism, Bog Spavin, Shoe Boils, Big Knees \* \* \* Inflammation, \* \* \* and Wounds of every description, softens the Hoofs and causes them to grow healthy and strong. Internally For Coughs \* \* \* Sore Throat, Distemper, Bronchitis, \* \* \* Kidney and Bladder Troubles. \* \* \* Used Externally is an excellent remedy for Rheumatism, Lamé Back \* \* \* Chilblains, Ingrowing Nails, Corns, Bunions, \* \* \* Removes all \* \* \* Inflammation. Directions. Use freely and Rub in Well. \* \* \* you will be surprised at the Relief Afforded. Taken Internally it is an excellent remedy for Coughs \* \* \* Bronchitis, Diphtheria and Sore Throat, Beneficial in aggravated cases of La Grippe \* \* \* Directions. To Grow Out Foot \* \* \* Contracted Feet \* \* \* Founder \* \* \* Brittle Feet \* \* \* Navicular Disease \* \* \* Corns \* \* \* Calks \* \* \* Scratches \* \* \* Mud Fever \* \* \* Quarter Cracks \* \* \* Thrush \* \* \* Splint \* \* \* Rheumatism \* \* \* Sore Backs, Necks and Shoulders \* \* \* Shoe Boils \* \* \* Big Knees \* \* \* Coughs \* \* \* Distemper, Pink Eye, Bronchitis \* \* \* Sore Throat \* \* \* Kidney and Bladder;" (circular, both sizes) "For the Relief of Pain in cases of Rheumatism, Neuritis \* \* \* Neuralgia, Sciatica, \* \* \* Inflammation. \* \* \* Bunions, \* \* \* Chilblains \* \* \* Externally Use \* \* \* as follows: Rheumatism \* \* \* Neuritis Or Nerve Inflammation \* \* \* Sciatica Or Neuralgia of the Hip or Thigh \* \* \* Lumbago \* \* \* Neuralgia \* \* \* Inflammation \* \* \* Bunions \* \* \* Do you suffer from Rheumatic Pains, Inflammation, Neuralgia, Stiff or Sore \* \* \* Joints \* \* \* prevent deadly germs from attacking the wounded flesh. \* \* \* will protect the wound from microbes of tetanus (lockjaw) and blood poison. \* \* \* Recommended for Skin Eruptions, Eczema \* \* \* Pimples \* \* \* Wonderful Results Reported in Cases of Piles and Varicose Ulcers."

On October 7, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**19352. Misbranding of Phosphorcin. U. S. v. 3 Dozen Bottles of Phosphorcin. Default decree of condemnation and destruction. (F. & D. No. 26203. I. S. No. 28256. S. No. 4478.)**

Examination of the drug product Phosphorcin involved in this action showed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed for it in the circular shipped with the said article.

On April 10, 1931, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of three dozen bottles of Phosphorcin, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the Biddle Purchasing Co., from New York, N. Y., in part on or about December 27, 1930, and in part on or about February 5, 1931, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.